

Bedford Hills, New York  
November 19, 2013

The second meeting for the month of November of the Town Board of the Town of Bedford was held on November 19, 2013 at the Town House, 321 Bedford Road, Bedford Hills, New York. The meeting was called to order at 8:00 P.M. by Supervisor Roberts.

<b>Present:</b>	Lee V. A. Roberts	: Supervisor
	David Gabrielson	: Councilman
	Chris Burdick	: Councilman
	Lisbeth Fumagalli	: Town Clerk
	Eric Gordon	: Town Attorney
	Kevin Winn	: Commissioner of Public Works
	Ed Ritter	: Town Comptroller
	William Hayes	: Chief of Police
	Amy Pectol	: Receiver of Taxes
<b>Absent:</b>	Peter Chryssos	: Councilman
	Francis Corcoran	: Councilman

And six (6) residents/observers.

CIVILIAN AWARD CEREMONY presented by the Police Department

Police Chief William Hayes made the following civilian award presentations:

1. Elber Lopez – “Saved by the belt for making the life saving decision to wear his seat belt, preventing serious injury when he was in a head on collision on Route 172.
2. William Gossett and William Wiese for bravery in the rescue of a young woman when an individual attempted during a carjacking attempt.

#### APPROVAL OF CLAIMS

On a motion by Mrs. Roberts, seconded by Mr. Burdick, the following resolution was ADOPTED

Ayes: Roberts, Gabrielson, Burdick  
Nays: None  
Absent: Chryssos, Corcoran

RESOLVED, that the following claims for 2013 be allowed for payment from their respective funds,

	<b>2013</b>
General Fund	\$ 22,844.94
Highway Fund	69,076.88
Consolidated Water District	5,901.02
Cedar Downs Water District	30.00
Farms Water District	128.00
Old Post Road Water District	60.00
Energy	8,125.43
Special Districts:	
Bedford Village Memorial Park	2,868.78
Bedford Hills Memorial Park	966.81
Katonah Memorial Park	743.02
Bedford Hills Lighting District	1,083.65
Capital Projects	27,021.99
	<u>\$ 140,021.99</u>

#### MONTHLY REPORTS

Mrs. Roberts advised that the departmental monthly reports were available for review during regular business hours in the Offices of the Town Clerk and the Supervisor as well as on the Town of Bedford website.

#### DEPARTMENTS

1. Request to award snow removal services.

On a motion by Mr. Burdick, seconded by Mr. Gabrielson, the following resolution was ADOPTED

Ayes: Roberts, Gabrielson, Burdick  
Nays: None  
Absent: Chryssos, Corcoran

RESOLVED that the Town Board does hereby approve the request from Kevin Winn, Commissioner of Public Works to award the snow removal contracts, as per Mr. Winn’s memorandum dated November 12, 2013 as follows, subject to the receipt of an updated Certificate of Insurance from the contractors naming the Town of Bedford as an additional insured:

Year <u>2013 to 2014</u>	J&B Paving		Amaxx		Land-works		Nationwide		Fancher		United Septic		Halpin		K&K Landscaping	
	Rate/hr	#	Rate/hr	#	Rate/hr	#	Rate/hr	#	Rate/hr	#	Rate/hr	#	Rate/hr	#	Rate/hr	#
Pickup Truck ¾ ton min. with 8’ plow min.					120	1	175	1								
Dump Truck 1 ton min 2cy dump with 9’ plow min.	120	5			120	1										
Dump Truck 6cy dump with 11’ min plow	125	1			130	1	219	3								
Front End Loader 4-5 cy capacity bucket																
Front End Loader 3-4 cy capacity bucket									145	1	145	1			200	1
Triaxle dump truck 16 cy min capacity for hauling snow	130	3	110	3					125	1	120	1	105	1	130	1
10 Wheel dump truck 14 cy min capacity for hauling snow	125	1			130	1										
Skid Steer Loader	150	1														
Backhoe Loader	160	1									120	1				

CORRESPONDENCE

1. Request from Bedford Hills Neighborhood Association to hold 5K Run for the Hills, April 5, 2014.

On a motion by Mrs. Roberts, seconded by Mr. Burdick, the following resolution was ADOPTED

Ayes: Roberts, Gabrielson, Burdick  
Nays: None  
Absent: Chryssos, Corcoran

RESOLVED that the Town Board does hereby grant approval for and support the request from the Bedford Hills Neighborhood Association (BHNA) for their 5K “Run for the Hills” scheduled for Saturday, April 5, 2014, in conjunction with the Town of Bedford Recreation and Parks Department, with any expenses related to assistance from the Police and Department of Public Works to be covered by the BHNA, as per the letter dated October 24, 2013 from Janet Jacobsen.

2. Katonah Chamber request to hold three events: Santa Comes Katonah on Saturday, November 30<sup>th</sup>, Tree lighting and Menorah lighting on Sunday, December 1<sup>st</sup> and Caroling along Katonah Avenue on Saturday, December 14<sup>th</sup>.

On a motion by Mrs. Roberts, seconded by Mr. Burdick, the following resolution was ADOPTED

Ayes: Roberts, Gabrielson, Burdick  
Nays: None  
Absent: Chryssos, Corcoran

RESOLVED that the Town Board does hereby grant approval for the Katonah Chamber of Commerce to hold the following three (3) events:

1. Santa Comes to Town – Saturday, November 30<sup>th</sup> – behind Chase Bank on Katonah Avenue, with assistance from the Katonah Fire Department.
2. The Lighting of the Tree and Menorah – Sunday, December 1st – Katonah Avenue, next to St. Luke’s Church, with the closure of Katonah Avenue required. Services of Police

and the Department of Public Works are needed, which shall be at the expense of the Chamber of Commerce and a Certificate of Insurance naming the Town of Bedford as an additional insured has been filed in the Office of the Town Clerk.

3. Caroling along Katonah Avenue on December 14<sup>th</sup> – no services required.

#### PERSONNEL

1. Request for reappointment to the Recreation & Parks Advisory Committee:

- a. Brian McCabe
- b. Aldo Sammarco
- c. Cristina Magidson
- d. Luke Vander Linden

On a motion by Mr. Gabrielson, seconded by Mr. Burdick, the following resolution was ADOPTED

Ayes: Roberts, Gabrielson, Burdick

Nays: None

Absent: Chryssos, Corcoran

RESOLVED that the Town Board does hereby reappoint Brian McCabe, Aldo Sammarco, Cristina Magidson and Luke Vander Linden to the Recreation and Parks Advisory Committee, for a three (3) year term, said term to expire December 21, 2016.

2. Approve appointment of Nancy E. Pietrzyk to the position of Police Officer Recruit.

On a motion by Mrs. Roberts, seconded by Mr. Gabrielson, the following resolution was ADOPTED

Ayes: Roberts, Gabrielson, Burdick

Nays: None

Absent: Chryssos, Corcoran

RESOLVED that the Town Board does hereby approve the conditional appointment of Nancy E. Pietrzyk to the position of Police Officer Recruit in the Town of Bedford Police Department, pending the psychological/emotional fitness and medical evaluations, eligible from Westchester County Certification List #69-589, to fill the vacancy left by the promotion of Richard Hubert to Sergeant, at an annual salary of \$49,397, with a tentative start date of December 9, 2013, as per the memorandum dated November 13, 2013 from Joan Gallagher, Director of Personnel.

3. Approve salary increase for Receiver of Taxes.

On a motion by Mrs. Roberts, seconded by Mr. Burdick, the following resolution was ADOPTED

Ayes: Roberts, Gabrielson, Burdick

Nays: None

Absent: Chryssos, Corcoran

RESOLVED that the Town Board does hereby approve an increase in salary for the Receiver of Taxes from \$61,613.00 to \$71,613.00 in order to bring the salary in line with the average Westchester County salary of \$70,186.00 as per the memorandum dated November 13, 2013 from Joan Gallagher, Director of Personnel.

4. Approve increase in health care contribution and salary increases for all elected officials and non-union employees.

On a motion by Mrs. Roberts, seconded by Mr. Gabrielson, the following resolution was ADOPTED

Ayes: Roberts, Gabrielson, Burdick

Nays: None

Absent: Chryssos, Corcoran

RESOLVED that the Town Board does hereby approve the increase in health care contribution for all elected officials to 20% and for non- union full time employees hired prior to January 1, 2010 to 18% effective January 1, 2014, as per the memorandum dated November 13, 2013 from Joan Gallagher, Director of Personnel.

On a motion by Mrs. Roberts, seconded by Mr. Gabrielson, the following resolution was ADOPTED

Ayes: Roberts, Gabrielson, Burdick

Nays: None  
Absent: Chryssos, Corcoran

RESOLVED that the Town Board does hereby approve a 2% salary increase for all elected officials, except the Supervisor, and non- union full time employees hired prior to January 1, 2010, effective January 1, 2014, as per the memorandum dated November 13, 2013 from Joan Gallagher, Director of Personnel.

#### NEW BUSINESS

1. Dedication of Thornbrook Lane.

On a motion by Mr. Gabrielson, seconded by Mr. Burdick, the following resolution was ADOPTED

Ayes: Roberts, Gabrielson, Burdick  
Nays: None  
Absent: Chryssos, Corcoran

WHEREAS, on May 3, 1995 the Town of Bedford Planning Board approved the final subdivision of Thornbrook Estates; and

WHEREAS, pursuant to such Resolution there was filed with the Westchester County Clerk's Office on November 13, 1995 as Map No. 25538, a subdivision map entitled "Resubdivision of the Property known as Thornbrook, revised July 10, 1994" showing a proposed road known as Thornbrook Lane; and

WHEREAS, Thornbrook Lane was owned initially by the original developer and thereafter by the subsequent developers of the Thornbrook subdivision who then deeded Thornbrook Lane to the Owners whose properties abut on Thornbrook Lane; and

WHEREAS, the Owners of the properties abutting Thornbrook Lane have offered to dedicate Thornbrook Lane to the Town of Bedford as a Town road; and

WHEREAS, the Town has received a title report indicating that the property owners abutting Thornbrook Lane have clear title to the road; and

WHEREAS, the Town Engineer by Memorandum date February 4, 2013, believe that Thornbrook Lane has been constructed up to Town road standards and recommended that the road be accepted by the Town; and

WHEREAS, the Owners of the properties bordering Thornbrook Lane have executed a Quit Claim Deed in the favor of the Town of Bedford,

THEREFORE, it is

RESOLVED that the Town of Bedford hereby accepts Thornbrook Lane as a Town road; and it is further

RESOLVED that the Town of Bedford hereby accepts a Quit Claim Deed from the Owners of the properties abutting Thornbrook Lane and such deed shall be recorded in the Division of Land Records of the Westchester County Clerk's Office; and it is further

RESOLVED that Thornbrook Lane shall become a Town road upon the date of recording of the aforementioned deed; and it is further

RESOLVED, that the Supervisor is authorized to take all actions necessary to confirm the acceptance of the dedication of Thornbrook Lane by the Town.

2. Allow parking on one side of Tarleton Road from 10:00 am to 3:00 pm on December 11<sup>th</sup>.

On a motion by Mrs. Roberts, seconded by Mr. Burdick, the following resolution was ADOPTED

Ayes: Roberts, Gabrielson, Burdick  
Nays: None  
Absent: Chryssos, Corcoran

RESOLVED that the Town Board does hereby approve the request from Cindy Dwyer to allow parking on one side of Tarleton Road on Wednesday, December 11, 2013 from 10:00 am to 3:00 pm during the St. Matthew's House Tour in Bedford Village.

3. Authorize Supervisor to sign Memorandum of Understanding regarding remote access to the County Clerk's land records and legal files.

On a motion by Mrs. Roberts, seconded by Mr. Burdick, the following resolution was ADOPTED

Ayes: Roberts, Gabrielson, Burdick  
Nays: None  
Absent: Chryssos, Corcoran

RESOLVED that the Town Board does hereby authorize the Supervisor to sign the Memorandum of Understanding regarding remote access to the Westchester County Clerk's land records, said agreement to expire December 31, 2014.

4. Announcement that Northern Westchester Energy Action Consortium ("NWEAC") will become Sustainable Westchester.

Mrs. Roberts announced that the Northern Westchester Energy Action Consortium ("NWEAC") will become Sustainable Westchester.

5. Proposed local law to amend Chapter 88 of the Town Code concerning Peddling and Soliciting. Set Public Hearing.

On a motion by Mrs. Roberts, seconded by Mr. Burdick, the following resolution was ADOPTED

Ayes: Roberts, Gabrielson, Burdick  
Nays: None  
Absent: Chryssos, Corcoran

RESOLVED that the Town Board does hereby set a public hearing to consider an amendment to Chapter 88 of the Code of the Town of Bedford, regarding Peddling and Soliciting for Tuesday, December 3, 2013 at 7:55 pm at the Town House, 321 Bedford Road, Bedford Hills, New York.

6. Authorize Supervisor to sign Student Assistance Services Corporation Agreement through Westchester County Department of Health with the Town represented by the Drug Abuse Prevention Council.

On a motion by Mr. Burdick, seconded by Mr. Gabrielson, the following resolution was ADOPTED

Ayes: Roberts, Gabrielson, Burdick  
Nays: None  
Absent: Chryssos, Corcoran

RESOLVED that the Town Board does hereby authorize the Supervisor to sign the Student Assistance Services Corporation Agreement through the Westchester County Department of Health, with the Town of Bedford represented by the Bedford Drug Abuse Prevention Council, for the period January 1, 2013 to December 31, 2013, with the maximum amount payable to the Town of Bedford \$5,272.00.

#### PUBLIC COMMENT –

A resident expressed concerns about the care of the Bedford Oak and made some suggestions for how the tree should be cared for.

There being no further discussion the hearing was adjourned at 8:45 pm.